

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

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## ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-93

Date June 27, 2006

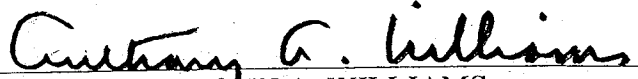
**SUBJECT:** DECLARATION OF PUBLIC EMERGENCY

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(11) of the District of Columbia Home Rule Act, as amended, Pub. L. No. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22(11), and the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Official Code §§ 7-2301 et seq., and on the basis of anticipated effects of a tropical storm now forming off the Atlantic Coast, it is hereby **ORDERED** that:


1. A state of Public Emergency is declared in the District of Columbia, effective immediately and continued until further notice. This public emergency declaration is a response to the potential flooding, loss of electricity, and other adverse effects anticipated as a result of the tropical storm.
2. The District of Columbia Response Plan ("DRP") is hereby implemented to the extent necessary and appropriate to effectuate the relief contemplated by this Order.
3. The Director of the Emergency Management Agency ("EMA") is hereby authorized and directed to undertake all functions necessary and appropriate to implement the applicable provisions of the DRP.
4. The Chief Financial Officer of the District of Columbia ("CFO") is authorized to approve the disbursement of all appropriations necessary to carry out this Order. The CFO and the Director of EMA will coordinate efforts on the part of the District of Columbia government to recoup its expenses and outlays incurred under this Order from appropriate agencies of the United States government.
5. This Order shall apply to all departments, agencies and instrumentalities of the District government in activating Emergency Support Functions ("ESF") as provided in the DRP.

6. **EFFECTIVE DATE:** This Order shall remain in effect until further notice and becomes effective immediately.



ANTHONY A. WILLIAMS

MAYOR

ATTEST: 

PATRICIA ELWOOD

INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-94

Date June 28, 2006

SUBJECT: DECLARATION OF PUBLIC EMERGENCY -- RESCISSION

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(11) of the District of Columbia Home Rule Act, as amended, Pub. L. No. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22(11), and the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Official Code §§ 7-2301 et seq., a Mayoral Order having issued on June 27, 2006 in response to anticipated effects of a tropical storm then forming off the Atlantic Coast, it is hereby **ORDERED** that:

1. The Mayoral Order of June 27, 2006 is hereby rescinded.
2. This Order of rescission shall have no effect upon the validity of actions taken under the authority of the Order of June 27, 2006 while that order was effective.
3. **EFFECTIVE DATE:** This Order shall remain in effect until further notice and becomes effective immediately.



ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD

INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-95

July 7, 2006

SUBJECT: Designation of Special Event Area

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Code § 1-242(11)(1999 Repl.), and pursuant to 19 DCMR § 1301.8 (November 1983), it is hereby **ORDERED** that:

1. On Friday, July 14, 2006, the area on Pennsylvania Avenue, N.W. between 12<sup>th</sup> and 13<sup>th</sup> Streets, between the hours of 10:00 a.m. and 3:00 p.m., is hereby designated as a special event area to be used as a fairground for Bastille Day.
2. Les Halles Brasserie, by and through its general manager, is authorized to operate said fairground.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



ANTHONY A. WILLIAMS  
MAYOR

ATTEST: 

PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

# GOVERNMENT OF THE DISTRICT OF COLUMBIA

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## ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-96  
July 10, 2006

**SUBJECT:** Establishment and Appointments – Mayor's Health Care Task Force

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, as amended, Pub. L. No. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22(11) (2001), it is hereby **ORDERED** that:

### **I. ESTABLISHMENT**

There is hereby established in the Executive Branch of the Government of the District of Columbia, the Mayor's Health Care Task Force (hereinafter referred to as the "Task Force").

### **II. PURPOSE**

The Task Force shall advise the Mayor, the Council of the District of Columbia, and the Director, Department of Health, on alternatives for improvements in the health care presence in the eastern section of the District.

### **III. FUNCTIONS**

The functions of the Task Force shall include:

- a. Reviewing the type of health care facility on Reservation 13 that would best meet the needs of the community considering all types of health care approaches, including primary, specialty and emergency care services, and a full-service hospital as recommended in the National Capital Medical Center (NCMC) proposal;
- b. Examining alternative approaches to a full-service hospital model, including an ambulatory care center, an urgent care center or a healthplex;
- c. Identifying the District's most pressing health care issues;

- d. Developing recommendations to promote the financial stability of all existing hospitals in the District and to improve emergency room infrastructure;
- e. Recommending ways to shore up the financial viability and quality of services at Greater Southeast Community Hospital in tandem with ensuring the continued stability of Howard University Hospital; and
- f. Examining the use and allocation of disproportionate share dollars and Diagnostic-Related Group payment weights for hospitals in the District in an effort to promote equity and the most appropriate use of these funds.

#### IV. COMPOSITION

- a. The Task Force shall be comprised of not more than 25 voting members appointed by the Mayor.
- b. The members appointed to the Task Force may include representation from the following:
  - 1. Hospitals and primary care facilities;
  - 2. Associations, societies, think tanks, policy groups, and other organizations which have as their primary focus and mission the provision of, or advocacy for medical, emergency care, primary care, care for persons with disabilities, specialty care or preventative health care;
  - 3. Health maintenance organizations;
  - 4. Health insurance companies or organizations;
  - 5. Colleges or universities;
  - 6. Organizations that develop or market pharmaceuticals;
  - 7. Organized labor;
  - 8. Consumers of health care;
  - 9. Public officials; and the
  - 10. General public.

- c. Members of the Task Force shall be residents of the District, or shall represent a business, social service organization, educational institution, or other entity located in the District.

## **V. TERMS**

- a. The members of the Task Force shall serve, at the pleasure of the Mayor, until the submission of a final report, but no later than August 31, 2006. In the event of a vacancy, a new member may be appointed to fill an unexpired term and shall serve for the remainder of that term, or until August 31, 2006.
- b. The Chairperson may excuse a member from a meeting for an emergency reason.
- c. The Mayor may remove any member who fails to attend three (3) unexcused, consecutive meetings of the Task Force.
- d. A member may be removed by the Mayor from the Task Force for personal misconduct, neglect of duty, conflict of interest violations, incompetence, or official misconduct. Prior to removal, the member shall be given a copy of any charges and an opportunity to respond within 10 business days following receipt of the charges. Upon a review of the charges and the response, the Director of the Office of Boards and Commissions, Executive Office of the Mayor, shall refer the matter to the Mayor with a recommendation for a final decision or disposition. A member shall be suspended by the Director of the Office of Boards and Commissions, Executive Office of the Mayor, on behalf of the Mayor.

## **VI. COMPENSATION**

All members of the Task Force shall serve without compensation, except that a member of the Task Force may be reimbursed for reasonable expenses incurred in the authorized execution of official Task Force duties, if approved in advance by the Chairperson of the Task Force, or designee, and subject to the availability of appropriations.

## **VII. ORGANIZATION**

- a. The Mayor shall appoint a Chairperson from among the appointed members of the Task Force. The Chairperson shall serve in that capacity at the pleasure of the Mayor.

- b. The Task Force may establish subcommittees as needed. Subcommittees may include persons who are not members of the full Task Force, provided that each subcommittee is chaired by a Task Force member and includes a majority of Task Force members.
- c. Members appointed by the Mayor may designate in writing alternate members to attend meetings on their behalf, but the alternate members shall not be permitted to vote on matters coming before the Task Force.
- d. The Task Force may establish its own bylaws and rules of procedure, subject to the approval of the Mayor or his designee.
- e. There shall be no voting by proxy by members of the Task Force.

#### **VIII. ADMINISTRATION**

The Department of Health shall provide administrative, clerical and technical support to the Task Force.

#### **IX. SUNSET**

The Task Force shall sunset on August 31, 2006.

#### **X. APPOINTMENTS**

- a. The following individuals are appointed as members to the Task Force to serve for a term not to exceed August 31, 2006:

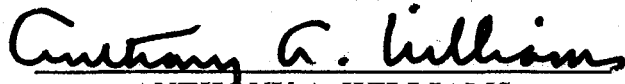
**A. CORNELIUS BAKER  
SHARON BASKERVILLE  
VANESSA DIXON  
VICTOR FREEMAN  
ROBERT MALSON  
MICHAEL ROGERS  
ERIC ROSENTHAL  
BALIUS WALKER**

**MICHAEL BARCH  
COLENE DANIEL  
M. JOY DRASS  
VINCENT KEANE  
KWAME ROBERTS  
SARA ROSENBAUM  
EDWARD SHANBACKER  
RICHARD WOLF**

- b. **GREGG A. PANE, M.D.** is appointed as a member of the Task Force representing the District government for so long as he remains in his position with the District, and shall serve in that capacity at the pleasure of the Mayor.
- c. **GREGG A. PANE, M.D.** is appointed as Chairperson of the Task Force and shall serve in that capacity at the pleasure of the Mayor.



- XI. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to April 19, 2006.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2006-97  
July 17, 2006


**SUBJECT:** Appointment – Washington Convention Center Authority Board of Directors


**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2001), and pursuant to section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), and in accordance with the advice and consent of the Council of the District of Columbia, pursuant to Council Resolution 16-656, dated June 6, 2006, it is hereby

**ORDERED** that:

1. **BEVERLY PERRY** is appointed as a public member and Chairperson of the Washington Convention Center Authority Board of Directors for a term to end May 16, 2011.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 6, 2006.

  
**ANTHONY A. WILLIAMS**  
MAYOR

**ATTEST:**   
**PATRICIA ELWOOD**  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-98  
July 18, 2006

**SUBJECT:** Appointment – Commission on Selection and Tenure of Administrative Law  
Judges of the Office of Administrative Hearings

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2001), and in accordance with D.C. Official Code § 2-1831.07, it is hereby **ORDERED** that:

1. **HONORABLE ROBERT R. RIGSBY** is appointed as a voting member and Chairperson of the Commission on Selection and Tenure of Administrative Law Judges of the Office of Administrative Hearings, representing the District of Columbia Superior Court, for a term to end April 30, 2009.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
ANTHONY A. WILLIAMS  
MAYOR

**ATTEST:**   
PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

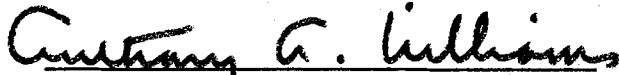
Mayor's Order 2006-99  
July 18, 2006

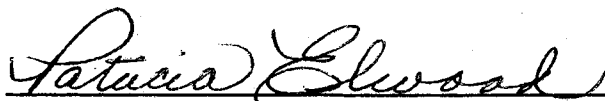
SUBJECT: Appointment – Board of Podiatry

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2001), pursuant to section 210 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D. C. Law 6-99; D.C. Official Code § 3-1202-10), and in accordance with the advice and consent of the Council of the District of Columbia, pursuant to Council Resolution 16-683, dated June 10, 2006, it is hereby **ORDERED** that:

1. **BARBARA JENKINS CLARK** was nominated by the Mayor on April 11, 2006 and, following a forty-five day period of review by the Council of the District of Columbia, this nomination is hereby deemed approved on June 10, 2006 for appointment as a consumer member of the Board of Podiatry for a term to end April 16, 2009.
2. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 10, 2006.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM


Mayor's Order 2006-100  
July 24, 2006

**SUBJECT:** Amendment of Mayor's Order 2005-153, dated October 12, 2005 – Board of  
Condemnation of Insanitary Buildings and Appointment

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2001), and in accordance with D.C. Official Code § 6-902(a)(1) and Organization Order No. 102 of September 27, 1054 as amended by Mayor's Order 83-219 dated September 20, 1983, it is hereby **ORDERED** that:

1. Paragraph 1 of Mayor's Order 2005-153, dated October 12, 2005 is amended to correct the name of **AUDREY C. BUCKNER** to read as **AUBREY C. BUCKNER**.
2. **SYBIL M. HAMMOND** is appointed as a member of the Board of Condemnation of Insanitary Buildings, representing the Department of Public Works, replacing Mark A. Brown and shall serve at the pleasure of the Mayor for so long as she remains an employee of that department.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-101

July 26, 2006

**SUBJECT:** Delegation of Authority to the Administrator of the Mental Retardation and Developmental Disabilities Administration and Requirements for Inter-Agency Cooperation

**ORIGINATING AGENCY:** Executive Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2001) ("Home Rule Act"), it is hereby **ORDERED** that:

1. **DELEGATION:** Pursuant to a memorandum dated July 14, 2006, the Director of the Department of Human Services ("DHS") has delegated to the Administrator of the Mental Retardation and Developmental Disabilities Administration ("MRDDA") the authority vested in the Director to take any legally permissible and appropriate action involving MRDDA's budget, contracting and procurement of goods and services, personnel matters, and interaction with the Department of Health's Medical Assistance Administration ("MAA") in its capacity as the single state agency for Medicaid with respect to MRDDA-related matters. The Director of DHS ("Director") has further delegated her authority to the MRDDA Administrator with respect to the provision of mental retardation and developmental disabilities services. These delegations shall remain in effect until further order of the Mayor.
2. **BUDGET:** Consistent with section 603(a) of the Home Rule Act of 1973, as amended, 87 Stat. 814, Pub. L. No. 93-198, D.C. Official Code § 1-206.03(a) (2001), and with the Director's July 14, 2006 delegation memorandum, the MRDDA Administrator shall have the authority, to the same extent as would have the Director, to develop and make budget recommendations for and on behalf of MRDDA, and to work with the Mayor, the City Administrator, the Chief Financial Officer, the Council of the District of Columbia, and the United States Congress in negotiating and securing approval of MRDDA's recommendations.
3. **CONTRACTING AND PROCUREMENT:** Consistent with the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986, D.C. Law 6-85, D.C. Official Code § 2-301.01 *et seq.* (2001), and with the Director's July 14, 2006 delegation memorandum, the MRDDA Administrator shall have the authority, to the same extent as would have the Director, to participate in the procurement of goods and services for MRDDA, including but not limited to entering requisitions into the Procurement Automated Support System and serving as a contracting

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officer's technical representative for and on behalf of MRDDA. In addition, consistent with the requirements of section 1(j) and (k) of An Act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes, as amended, approved December 20, 1944, 58 Stat. 819, ch. 611, D.C. Official Code § 1-301.01(j) and (k)(2001), with the Director's July 14, 2006 delegation memorandum, and with the limitations of section 731 of the Home Rule Act, D.C. Official Code § 1-207.31 (2001), governing agreements for services with the federal government, the MRDDA Administrator shall have the authority to enter into intergovernmental and interagency memoranda of understanding for and on behalf of MRDDA.

4. **PERSONNEL**: Consistent with the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979, D.C. Law 2-139, D.C. Official Code § 1-601.01 *et seq.* (2001), with the Director's July 14, 2006 delegation memorandum, and with Mayor's Order 2000-83, dated May 30, 2000, the MRDDA Administrator shall have the authority, to the same extent as would have the Director, to approve requests for personnel action (*i.e.* to hire, terminate, reassign, promote, transfer, and impose adverse or corrective action) and to take corrective or adverse personnel action pursuant to Chapter 16 of the District Personnel Manual for and on behalf of MRDDA.
5. **MEDICAID**: Consistent with federal requirements for a single state agency for Medicaid, and with the Director's July 14, 2006 delegation memorandum, the MRDDA Administrator shall have the authority, to the same extent as would have the Director, to work directly with the MAA in connection with any MRDDA-related application for waiver or other submission to local or federal authorities with respect to the Medicaid program.
6. **FURTHER DELEGATION**: Except as otherwise provided in this Order, the MRDDA Administrator shall have authority to further delegate to subordinate agency employees the authority delegated to her by this Order.
7. **PRIORITY; MONTHLY MEETING**: The District of Columbia's implementation of the "2001 Plan for Compliance and Conclusion of *Evans v. Williams*" ("Plan for Compliance") and the related orders in the *Evans* class action litigation require that MRDDA's requests for action involving its budget, contracting and procurement of goods and services, personnel matters, and interaction with MAA in its capacity as the single state agency for Medicaid receive priority, expedited and timely consideration by all District of Columbia agencies, departments, and employees. The directors of all agencies subordinate to the Mayor interacting in any capacity with MRDDA hereby are directed to take steps necessary and appropriate to comply with the foregoing Plan for Compliance and related court orders. To ensure compliance with this Order and to monitor its implementation, the City Administrator shall convene a meeting at least once each month to include (but not be limited to) the Deputy Mayor for Children, Youth, Families, and Elders, the DHS Chief Financial Officer, the Chief Procurement Officer, the Director of Personnel, the MAA Administrator, and the MRDDA Administrator. With the exception of the City

delegate their obligation to attend this meeting, and any non-attendance may be excused only by the City Administrator or his designee.

8. **REPEAL OF PRIOR ORDERS:** This Order supersedes previous Mayor's Orders to the extent of any inconsistency.
9. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to July 14, 2006.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA



ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-102  
July 27, 2006

**SUBJECT:** Establishment of Alternative Curfew Hours for Individuals Below the Age of 17 Under the Enhanced Crime Prevention and Abatement Emergency Amendment Act of 2006.


**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, as amended, Pub. L. No. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22(11) (2001), and by section 3a (a) of the Juvenile Curfew Act of 1995 (Juvenile Curfew Act), D. C. Law 11-48, as added by section 101 of the Enhanced Crime Prevention and Abatement Emergency Amendment Act of 2006, effective July 21, 2006 (D.C. Act 16-446) (Emergency Amendment Act), it is hereby **ORDERED** that:

1. The curfew hours in the District of Columbia for individuals below the age of 17 will be set from 10:00 p.m. to 6:00 a.m., for each night of the week.
2. The foregoing curfew hours will be in effect for thirty (30) consecutive days, commencing at 12:01 AM on Monday, July 31, 2006 and ending at 11:59 PM on Wednesday, August 30, 2006.
3. The foregoing curfew hours will revert to the hours prescribed in the Juvenile Curfew Act at the end of the foregoing 30-day period, unless extended by further Mayor's Order.
4. The establishment of these alternative curfew hours comes as the result of the recent increase in violent crime that has occurred since the beginning of July 2006. During the first 15 days of July, there were 15 homicides in the District of Columbia. Over the past 30 days, there has been a 9 percent increase in robberies and a 21 percent increase in assaults with a deadly weapon, compared to the same time period last year. In addition, during this calendar year, there has been an 8 percent increase in violent crimes, a 14 percent increase in robberies, and a 3 percent increase in assaults with a deadly weapon, compared to the same time period last year. A disturbing trend is that juveniles are becoming increasingly involved in more violent crimes. Compared to last year, there have been 1,793 juvenile arrests (representing a 14 percent increase), an 82 percent increase in juvenile arrests for robbery, and a 27 percent increase in juvenile arrests for weapons violations.

5. In order to protect children and youth from becoming victims of crime or from becoming involved in crimes at night, I have determined that these alternative curfew hours are necessary.
6. I certify that the five-day notices required by the Emergency Amendment Act have been given in accordance with the provisions thereof.
7. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to July 24, 2006.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-103  
July 28, 2006

**SUBJECT:** Delegation of Authority to the Deputy Mayor for Planning and Economic Development

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(6) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6), and pursuant to 87 Stat. 822, Pub. L. No. 93-198, D.C. Official Code § 1-207.31, it is hereby **ORDERED** that:

1. The Mayor delegates to the Deputy Mayor for Planning and Economic Development his authority to negotiate and execute an assignment and assumption agreement among the District of Columbia, the Anacostia Waterfront Corporation, the RLA Revitalization Corporation, and the National Capital Revitalization Corporation for the transfer of assets among the parties; and the assumption of certain liabilities of the RLA Revitalization Corporation and/or the National Capital Revitalization Corporation, and the Anacostia Waterfront Corporation, by the District; and the Mayor further delegates to the Deputy Mayor for Planning and Economic Development his authority to execute all deeds and such other related documents necessary to effectuate the transfer of District owned real property to the National Capital Revitalization Corporation and/or the RLA Revitalization Corporation in accordance with the terms of the assignment and assumption agreement in order to reimburse the National Capital Revitalization Corporation and/or RLA Revitalization Corporation for their transfer of the Southwest Waterfront real properties to the Anacostia Waterfront Corporation or its subsidiary.
2. **EFFECTIVE DATE:** This Order shall become effective immediately and shall supersede all prior inconsistent Orders.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD

INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

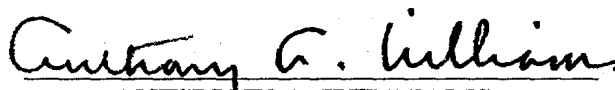
Mayor's Order 2006-104  
July 28, 2006

**SUBJECT:** Delegation of Authority to the Director of the District Department of Transportation

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(6) of the District of Columbia Home Rule Act, as amended, 87 Stat.790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6), and pursuant to 87 Stat. 822, Pub. L. No. 93-198, D.C. Official Code § 1-207.31, it is hereby **ORDERED** that:

1. The Mayor delegates to the Director of the District Department of Transportation his authority, pursuant to D.C. Law 2-152, D.C. Official Code § 35-232, *et seq.*, to negotiate, execute and consummate agreements with the Washington Metropolitan Area Transit Authority for the transportation, at reduced fares, of students going to and from public, parochial, and private schools and to and from related educational activities in the District of Columbia
2. **EFFECTIVE DATE:** This Order shall become effective immediately and shall supersede all prior inconsistent Orders.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD

INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2006-105  
July 28, 2006


**SUBJECT:** Delegation of Authority to the Director of the District Department of Transportation ("DDOT")

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(6) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6), and pursuant to 87 Stat. 822, Pub. L. No. 93-198, D.C. Official Code § 1-207.31, it is hereby **ORDERED** that:

1. The Mayor delegates to the Director of the District Department of Transportation ("DDOT") his authority to negotiate, execute and consummate an agreement with the COG, MDOT, VDOT and the WMATA for the COG to provide administrative support of the RTCP, including contracting with third party contractors, on behalf of the DDOT, in cooperation with the MDOT, VDOT, and the WMATA.
2. **EFFECTIVE DATE:** This Order shall become effective immediately and shall supersede all prior inconsistent Orders.

  
ANTHONY A. WILLIAMS  
MAYOR

ATTEST:   
PATRICIA ELWOOD  
INTERIM SECRETARY OF THE DISTRICT OF COLUMBIA

## THE OFFICE OF CONTRACTING AND PROCUREMENT

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### NOTICE OF EMERGENCY RULEMAKING

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The Chief Procurement Officer of the District of Columbia, pursuant to authority granted by sections 202 and 204 of the District of Columbia Procurement Practices Act of 1985, as amended, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code §§2-302.02 and 2-302.04)(PPA), and Mayor's Order 2002-207, dated December 18, 2002, hereby gives notice of the adoption of the following emergency rules, amending Chapter 22 of Title 27 of the *District of Columbia Municipal Regulations (Contracts and Procurements)*. The rules will amend Chapter 22 of Title 27 D.C. Municipal Regulations to reflect changes necessary to implement the *Debarment Procedures Amendment Act of 2004*, effective April 12, 2005 (D.C. Law 15-327; D.C. Official Code § 2-308.04) (Act).

A Notice of Emergency and Proposed Rulemaking to amend Chapter 22 was published in the *D.C. Register* on July 29, 2005 (52 DCR 7043), and the current emergency rules expire on July 5, 2006. No substantive changes have been made to the text of the proposed rules as published. The final rules to amend Chapter 22 have been submitted to the Council of the District of Columbia for its review pursuant to section 205(b) of the PPA (D.C. Official Code §2-302.05(b)), and may not become effective until the expiration of the 60-day period for Council review or upon approval by Council resolution, whichever occurs first, and publication of a notice of final rulemaking in the *D.C. Register*. The rules are necessary to provide continuing authority to use the provisions in the amended Chapter 22 until the final rules are effective.

Emergency rulemaking action is necessary to allow the Debarment and Suspension Panel (Panel) created by the Act to conduct hearings on certain companies and their principals due to convictions and other improprieties in connection with the award of District contracts. Without these emergency rules, the Panel will not be able to conduct debarment proceedings on companies and their principals that have been convicted and have violated District contracting laws. The debarment or suspension actions pertain to serious questions about the appropriateness of the District contracting with certain companies because of convictions or other improprieties in connection with the award or

performance of District contracts, and the length of time for which a contractor should be debarred from District contracting. Adoption of emergency rules to establish these procedures to allow the Panel to convene is necessary for the immediate preservation of the public peace, health, safety, or welfare, in accordance with D.C. Official Code §2-505(c).

To ensure that amended chapter 22 will continue in effect, action was taken on June 30, 2006 to adopt the following rules on an emergency basis effective on that date. These rules will remain in effect for up to one hundred twenty (120) days from the date of adoption, unless superseded by another rulemaking notice or by publication of a Notice of Final Rulemaking in the *D.C. Register*.

## **CHAPTER 22**

### **CONTRACTORS**

*Chapter 22 is amended by adding a new section 2218 to read as follows:*

#### **2218 Debarment and Suspension Panel**

- 2218.1 This section shall apply to any debarment or suspension that is required to be heard by the Debarment and Suspension Panel ("Panel") in accordance with the *Debarment Procedures Amendment Act of 2004*, D.C. Law 15-327, effective April 12, 2005 ("Act").
- 2218.2 For any debarment or suspension that the Panel hears, the Chief Procurement Officer ("CPO") shall transmit to the Panel his debarment or suspension recommendation and any supporting documentation.
- 2218.3 Upon receipt of the documentation specified in section 2218.2 from the CPO, the Chair of the Panel shall convene the Panel to conduct a hearing of the debarment or suspension in accordance with Title 27 *D.C. Municipal Regulations*, sections 2213 through 2217, except as provided in section 2218.4. The term "Director," as it appears in sections 2213 through 2217, shall mean the "Panel."
- 2218.4 For any debarment or suspension that the Panel hears, the period of time provided in section 2214.1(c) shall be shortened to fifteen (15) days after receipt of the notice.
- 2218.5 The Panel shall hear and decide, *de novo*, all debarments and suspensions required to be heard in accordance with this section and the Act.
- 2218.6 The attendance of at least five (5) members of the Panel shall constitute a quorum to hear a debarment or suspension.

2218.7 A majority vote of those present and voting shall be necessary and sufficient for any action taken by the Panel. Each Panel member in favor of the debarment or suspension decision of the Panel shall indicate his or her agreement with the decision by signing the decision.

2218.8 *Ex parte* communications, as defined in section 2299.1, shall be prohibited. Excluded from *ex parte* communications are those that:

- (a) are specifically authorized by law to be made on an *ex parte* basis;
- (b) relate to the Panel's administrative functions or procedures; or
- (c) are matters of public record.

A Panel member or staff member for the Panel who receives an *ex parte* communication prohibited by this section, shall immediately report its receipt to the Chair of the Panel and prepare a memorandum describing in detail the substance of the communication. The memorandum shall be placed in the debarment or suspension file, along with the actual communication if it is in written form. The Panel shall provide a copy of the memorandum to all parties.

2218.9 Panel members shall promptly advise the Chair of the Panel of any conflict of interest, or appearance thereof, relating to any debarment or suspension action under consideration by the Panel. Each member of the Panel shall disqualify himself or herself from acting on matters in which he or she has a conflict of interest, or the appearance thereof, in accordance with Chapter 18 of the District of Columbia Personnel Regulations.

2218.10 The Panel shall keep and maintain a case docket of current debarments or suspensions under the Panel's jurisdiction; copies of decisions and final orders of the Panel; and copies of the Panel's rules. The case docket, updated monthly, shall provide the names of the companies or individuals proposed for debarment or suspension, the case number, the date the Panel received the debarment or suspension, and the date of any scheduled hearing on the merits of the debarment or suspension. The case docket, copies of decisions, final orders, and rules shall be available for inspection by the public at the office of the Chair of the Panel.

*Section 2299.1 is amended by adding the following definitions:*

**Debarment and Suspension Panel** – the panel established by the *Debarment Procedures Amendment Act of 2004*, D.C. Law 15-327, effective April 12, 2005 (“Act”), consisting of the Chief Procurement Officer and a representative from the Office of the Chief Financial Officer, the Office of the Deputy Mayor for Planning and Economic



Development, the Deputy Mayor for Operations, the Director of the Office of Labor Relations and Collective Bargaining, and from each agency which, in the judgment of the Mayor, would be directly and significantly affected by the proposed debarment.

***Ex parte communications*** – any oral or written communication with the Panel, which excludes one or more parties to the case, concerning the merits of the case pending before the Panel, made by any persons directly or indirectly involved in the outcome of the case.